

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

WILLIAM POU,

Plaintiff,

Case No. 24-cv-22751-BLOOM/Elfenbein

Consolidated with Case No. 24-cv-22828-BLOOM/Elfenbein

v.

CONFEDERACION SUDAMERICANA DE FUTBOL,  
d/b/a CONMEBOL, CONFEDERATION OF NORTH, CENTRAL  
AMERICA AND CARIBBEAN ASSOCIATION FOOTBALL,  
d/b/a CONCACAF, MIAMI DOLPHINS, LTD., AND  
SOUTH FLORIDA STADIUM, LLC, d/b/a Hard Rock Stadium

Defendants.

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**DEFENDANT CONFEDERACIÓN SUDAMERICANA DE FÚTBOL d/b/a  
CONMEBOL'S MOTION FOR CLARIFICATION OF COURT ORDER**

Defendant, CONFEDERACIÓN SUDAMERICANA DE FÚTBOL d/b/a CONMEBOL (“Conmebol”), respectfully moves for clarification of the Court’s October 22, 2024, Paperless Order [ECF 81] requiring Conmebol to answer or otherwise respond to “the Complaint” by October 24, 2024, and states as follows:

1. On October 24, 2024, this Court entered its Paperless Order [ECF 81], consisting of the following docket text:

THIS CAUSE is before the Court upon a *sua sponte* review of the record. Plaintiff filed this action on July 19, 2024, ECF No. [1]. On September 24, 2024, the Court ordered [CONMEBOL] to answer the Complaint no later than October 21, 2024, ECF No. [47]. Defendant Conmebol failed to adhere to the applicable deadline or to request an extension of time to do so. Accordingly, it is ORDERED AND ADJUDGED that on or before October 24, 2024, CONMEBOL shall answer or otherwise respond to the Complaint.

2. Conmebol seeks clarification of the Court’s Order, because the Complaint at issue in Conmebol’s motion for extension of time, which resulted in the Order at ECF No. 47, has been voluntarily dismissed [ECF 78]. Conmebol provides the following procedural background.

3. On or around July 24, 2024, Pou filed an action against Connebol and others for breach of contract, unjust enrichment, negligence, and declaratory judgment (the “**Pou Action**”). The Pou Action was assigned the Case Number 24-cv-22828-BB.

4. On September 3, 2024, Pou served Connebol, a foreign defendant, with process in the Pou Action under the Hague Convention. As such, Connebol’s responsive pleading deadline in the Pou Action was originally September 24, 2024. *See* Fed. R. Civ. P. 12(a)(1)(A)(i).

5. On August 27, 2024, this Court, *sua sponte*, entered an Order Consolidating Cases [D.E. 20], consolidating the Pou Action with Case Number 24-cv-22751-BB (the “**Nobel Action**”), and directing all future filings in the Pou Action to be filed under the case number in the Nobel Action. To date, Connebol has not been served with the Nobel Complaint.

6. On September 23, 2024, Connebol filed its Motion for Extension of Time to Respond to Plaintiff, William Pou’s, Complaint. [ECF 45]. Therein, Connebol set forth the information in paragraphs 3-5 above and requested a 30-day extension of time, up to and including October 24, 2024, “to respond to Pou’s Complaint,” noting that Pou’s counsel did not oppose this extension of time.

7. On September 24, 2024, the Court entered its Paperless Order [ECF 47] on Connebol’s Motion for Extension of Time to Respond to Plaintiff’s William Pou’s, Complaint. The Docket Text for the Paperless Order provided as follows:

PAPERLESS ORDER granting in part and denying in part [45]  
Motion for Extension of Time to File Response to Complaint.  
Defendant [CONMEBOL] shall answer the Complaint on or before  
October 21, 2024.

8. However, on October 21, 2024, Plaintiff Willaim Pou filed his Notice of Voluntary Dismissal Without Prejudice, giving “notice of his voluntary dismissal of this case without prejudice.” [ECF 78].

9. Accordingly, Conmebol did not file a response to the Pou Complaint on October 21, 2024, as Pou's counsel had dismissed the Pou Action.

10. Therefore, Conmebol seeks clarification as to the Court's Paperless Order [ECF 81] requiring it to respond to the Complaint by October 24, 2024.

WHEREFORE, in light of Plaintiff, William Pou's notice of voluntary dismissal of his action [ECF 78] on October 21, 2024, Defendant CONFEDERACIÓN SUDAMERICANA DE FÚTBOL d/b/a CONMEBOL respectfully requests the Court to clarify its Paperless Order as to whether Conmebol is required to respond to the Pou Complaint by October 24, 2024 in light of Pou's notice of voluntary dismissal.

**LOCAL RULE 7.1(a)(3)(A) CERTIFICATION**

The Undersigned counsel for Defendant certifies that she conferred with Plaintiff William Pou's counsel, Eduardo A. Maura, on October 22, 2023, upon receipt of the Order, as to whether Conmebol could represent the motion for clarification as unopposed. Mr. Maura responded that he had no opposition to the motion. Shortly thereafter, counsel for Plaintiff Das Nobel, Jeff Newsome, advised that the undersigned "may caption the motion as agreed only if CONMEBOL will agree to accept service of the [to be filed] amended Nobel Complaint."<sup>1</sup> Mr. Maura subsequently responded that he, on behalf of Pou, now opposes Conmebol's motion for clarification and agrees with Nobel's counsel's position.

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<sup>1</sup> As stated above, Conmebol was not served with the Nobel Complaint. On October 21, 2024, Plaintiff Nobel and Defendants South Florida Stadium, LLC ("SFS"), Confederation of North, Central America and Caribbean Association Football ("CONCACAF"), and Best Crowd Management, Inc. ("BEST") filed a Joint Motion for 90-Day Stay of all Deadlines Other than Motion to Compel Arbitration Briefing and Service of Amended Complaint. [ECF 79]. Therein, Nobel's counsel stated that Nobel intends to file an Amended Complaint in this action no later than October 23, 2024. Conmebol did not join in this motion, as it had not been served with the Nobel Complaint. On October 21, 2024, Plaintiff Nobel and those same defendants filed a Joint Motion for Entry of Briefing Schedule. [ECF 80].

Respectfully submitted this 23<sup>rd</sup> day of October, 2024.

/s/ Julie Singer Brady

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de Futbol, d/b/a CONMEBOL*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on October 23, 2024, I electronically filed the foregoing with  
the Clerk of the Court by using the CM/ECF system, which will send notice to:

Eduardo A. Maura, Esq.

Luis F. Quesada, Esq.

Ryan M. Sawal, Esq.

Orestes D. Garcia, Esq.

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*Attorneys for Plaintiff and the Putative Class*

/s/ Julie Singer Brady

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